

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 4 – SB 221**

February 25, 2017

**SUMMARY OF ORIGINAL BILL:** Requires the Board of Parole (BOP) to meet within 10 days of a parolee being reincarcerated because the parolee was charged with a new offense, if the parolee is awaiting a parole revocation preliminary hearing, a parole revocation hearing, or a parole rescission hearing, and the charges for the new offense are ultimately dismissed or the parolee is found not guilty. Requires the Board to release the parolee if the Board finds that the only reason the parolee was reincarcerated was the new offense and the new offense was dismissed.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$4,000/One-Time  
\$149,100/Recurring

Other Fiscal Impact – To the extent the proposed legislation results in some paroled prisoners being released and reinstated on parole sooner than under current law, the proposed legislation would result in decreased incarceration costs. However, insufficient information exists to reasonably determine the extent of any decreases that would be realized.

**SUMMARY OF AMENDMENT (004010):** Deletes and rewrites the bill such that the substantive changes are (1) the board will only meet upon being notified that a reincarcerated parolee awaiting a revocation hearing has had the charges dropped; no true bill was returned; a verdict of not guilty was returned; or the paroled prisoner was arrested and released without being charged, and (2) authorizes, rather than requires, the board to order the immediate release of the paroled prisoner upon determining that one of the enumerated events occurred.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 40-28-122 sets forth provisions for determining when and under what circumstances the BOP must conduct parole revocation hearings.

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- The proposed legislation adds provisions to Tenn. Code Ann. § 40-28-122 requiring the board to meet under certain circumstances set forth in the proposed legislation. The board is only required to meet, however, upon receiving notification that the circumstances under the proposed legislation have been met.
- It is assumed that the board can handle any impact to its operations within its existing resources without an additional appropriation or a reduced reversion.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm